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ABSTRACT

This report evaluates Delaware's progress in providing a free, appropriate public education in the least restrictive environment (LRE) for children with disabilities as required by Public Law 94-142, the Education for All Handicapped Children Act. Existing programs and services provide an array of placement alternatives for the delivery of special education and related services. The Delaware Least Restrictive Initiative is intended to further facilitate the development and implementation of age-appropriate integrated program options and has resulted in activities addressing the needs of school districts, countywide programs, and statewide programs. Assumptions of the LRE initiative require that removal of a student from regular class settings be substantiated and that all programming and placement decisions be based on the child's individual needs. Also reported is development of a collaborative planning model representing state and local education agencies, the legislature, and parents. Individual sections of the report address: vision and purpose; assumptions; planning model; background; mission statement; goals; strategies and activities for each of the five goals; coordination and evaluation; future plans and activities; and definitions. Includes 22 references. (DB)

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**PROGRESS REPORT ON THE
DELAWARE LEAST RESTRICTIVE ENVIRONMENT
INITIATIVE**

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INTRODUCTION

Delaware has made significant progress in the provision of a free, appropriate public education in the least restrictive environment for children with disabilities. Since the passage and implementation of the Education For All Handicapped Children Act (P.L. 94-142), model programs and services have been expanded to provide an array of placement alternatives for the delivery of education and related services. Exemplary programs are in place across the State. Federal and State regulations define the Least Restrictive Environment (LRE) requirement as follows:

Each school district or other public agency shall ensure that to the maximum extent appropriate, handicapped children in public and private institutions or other care facilities are educated with children who are not handicapped, and that special classes, separate schooling, or other removal of handicapped children from the regular educational environment occurs only when the nature or severity of the handicap is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (34 CFR 300.550 (b) and Section F.1.a., Administrative Manual: Programs for Exceptional Children).

VISION AND PURPOSE. The Department of Public Instruction envisions the provision of a full range of educational opportunities for children and youth with disabilities, in accordance with their individualized education programs. Children and youth with disabilities should have the options to be educated with their nondisabled peers in age-appropriate settings, to the maximum extent appropriate, based on their individual needs. The primary purpose of the Delaware Least Restrictive Initiative is to facilitate the development and implementation of age-appropriate integrated program options. The Initiative affirms the right of all eligible children to receive a free, appropriate public education in the least restrictive environment, to the maximum extent appropriate, as defined in their individualized education programs. The expected outcomes will be a reduction of the educational and social isolation of students with disabilities and an increase in the development of mutual respect, acceptance of individual differences and friendships

in their communities through their inclusion in programs with nondisabled peers.

Development of the Initiative included comprehensive activities of the Exceptional Children/Special Programs Division addressing the needs of school districts, countywide and statewide programs. Additional participants in the Initiative are school districts, agencies and staff of the divisions of the Department of Public Instruction which have a part in the implementation of the Initiative. The Initiative will serve as a means to communicate statewide LRE activities and will be updated periodically in order to reflect progress and newly identified needs.

ASSUMPTIONS. This LRE Initiative is based on the assumption that the regular class is the planning base for placement decisions. This means that removal from regular class settings must be substantiated and that a continuum of alternative placements will be considered for each child whose needs cannot be met in regular class settings. The Initiative is also based on the assumption that all students share basic human needs and effective education responds to the needs of all students. All programming and placement decisions are based on the child's individual needs, as determined by the IEP team. All identified needed services will be provided to the child, regardless of the placement, in accordance with the IEP.

PLANNING MODEL. In February, 1988, a collaborative approach to planning was selected for the Delaware LRE Initiative. This approach was recommended by a group of individuals representing state and local education agencies, the legislature, and parents, who were invited by the Exceptional Children/Special Programs Division to participate in the design of a plan for the development and implementation of the LRE Initiative. As a result, a planning process was developed to capitalize on the interest, knowledge and experience of a large group of individuals who have a stake in the outcomes of this Initiative.

The positive effects of broad-based participation in planned change are emerging. Over fifty individuals have directly participated in the development of the LRE Initiative. Dozens of others have also contributed their thoughts and recommendations on draft materials. A Review Group and Steering Committee provided strategies for each of the goals. A technical writing group of DPI

staff and consultants developed the original timelines and resource projections in tables that accompanied the narrative for each of the goals. The Exceptional Children/Special Programs Division revised this section in the spring of 1990. The revisions reflect the completed tasks addressing the five goals of the Initiative that occurred from December, 1988, through March, 1990. The Strategies and Activities section includes each of the original goal statements, followed by state, district and task force status reports. At the end of this document is a listing of planned consultation and technical assistance activities.

Finally, the Initiative will be implemented as a major activity under Goal 3 of the Delaware State Board of Education's Goals for the 90'S:

GOAL 3. Ensure that all schools offer an up-to-date, quality curriculum to provide students with the educational, civic, cultural foundations along with the services necessary to attain their personal goals, continue schooling and/or effectively enter the work force.

BACKGROUND

The United States Constitution and the Bill of Rights provide equal protection and due process rights for all. The Constitution and Bill of Rights, along with the Education For All Handicapped Children Act of 1975, and Section 504 of the Rehabilitation Act of 1973, describe the individual rights which support the Least Restrictive Environment concept for students with disabilities. In addition, case law has defined freedom from restraint, equal services in different settings, separation as unequal, the prohibition of separateness, and affirmative obligation to remove separateness (Chitwood and DeBow, 1988).

Thirteen years ago, Reynolds and Birch (1977) described the changes in the administrative patterns of service delivery as they had evolved since the 1960's. They discussed the features of the original Cascade Model as a continuum of places arrayed as least restrictive to most restrictive. Specialized places for specialized personnel on the Cascade Model that they described are distinguished by fewer specialized places and more diverse "regular" places. What they noted as the Instructional Cascade, "...puts first priority on moving the various forms of specialized instruction into regular school structures" (p. 37).

More recent literature analyzes the pitfalls of the concept of LRE as a function of the continuum of services presented within P.L. 94-142 (Taylor, 1988). The new focus is on service provisions in more natural, rather than segregated, settings, in which children and youth with disabilities are included with their nondisabled peers in a variety of activities. The direction taken for those students with severe disabilities is one in support of service options provided in the home, the traditional school setting and on the job site through community-based programming (Hardman, 1987, Sailor, 1987, and Taylor, 1988, Wilcox & Bellamy, 1982). That focus and direction is represented most clearly in the "normalization principle." Essentially, this principle states that individuals with disabilities should have the opportunity to be educated in their neighborhood schools, to live in their home communities, to work and to have recreational experiences in the same manner as their nondisabled peers. Madeleine Will, former Assistant Secretary of the Office of

Special Education and Rehabilitative Services (OSERS), expressed that sentiment as follows:

"The integration of disabled students with their nondisabled peers is the fundamental issue confronting parents and professionals who work with handicapped individuals to help them achieve maximum involvement in the educational, vocational, and social fabric of American life." (1987, p.3)

Simply stated, the promise of an equal opportunity will not prevail without the opportunity for interaction with nondisabled peers.

The growing body of educational research and literature documents the administrative and instructional practices which demonstrate the benefits of interaction between children with disabilities and their nondisabled peers (Bicklen et al, 1987, Higgins, 1990, Hanline and Murray, 1984, Sailor, 1987, and Stainback and Stainback, 1985). The most comprehensive investigation of the benefits of interaction is that of Brinker (1983). Brinker's findings indicate that student social and educational gains are positively correlated with the degree of interaction with disabled peers. Another study explored the impact on the development of disabled children who were placed in special integrated classes with children without disabilities (Odom, et al, 1984). The results indicated that no significant negative impact occurred.

Jenkins (1985) addressed issues of child development and social interaction in a comparison study of students in both segregated and integrated programs. The results provided clear evidence that social development was stronger for those students with disabilities who were educated in integrated settings. Similar findings were obtained in a study conducted by Brinker and Thorpe (1984).

As compelling as those findings are, it takes more than research to convince a population of the benefits of change. The issue of integrated programming involves attitudinal change on the part of policy makers, administrators, teachers, parents, and students. Change impacts not only those for whom the change is sought, but also those who propose change (Donaldson, 1980). Who, then, is responsible for this change? And who takes the responsibility for educating students with disabilities?

Stainback (1985) examined the organizational restructuring of schools that facilitate mainstreaming of students with mild disabilities into regular classrooms. His major conclusion was that mainstreaming is successful when teachers, administrators and parents of regular and special education students worked together.

Bridging the gap between general and special education requires mutual effort and a mutual vision to bring about quality and equity of education for all students. In a book entitled, Beyond Separate Education, Lipsky and Gartner (1989) edited the contributions of 19 leaders in the field of research and practice related to special education reform. The editors introduce the text by saying that the authors were selected for excellent work and a shared set of values and views. What they believe in is as important as what they know.

A range of delivery models address the issues presented thus far and have been successfully replicated on Delaware public school campuses. Included within these models are strategies for developing collaborative efforts among agencies, approaches to attitudinal changes, instructional and inservice components (for special education, regular education, administrators, parents, and agency personnel), and transportation and facility modifications.

In summary, mainstreaming and integration benefit not only those students with disabilities, but also their peers who are not disabled. The provision of mainstreamed and integrated opportunities involves a multitude of mechanisms necessary to assure effective programming. Thus, the issue is not whether, but how, to assure those opportunities. Toward that end, the Department of Public Instruction has articulated a mission statement and set long-term goals to assure those opportunities.

The Mission Statement includes the term "eligible" child. In Delaware, any child is eligible for special education and related services when two conditions have been met:

1. A child is assessed as handicapped according to the definitions in P.L. 94-142 (34 CFR 300.5), and the Administrative Manual: Programs for Exceptional Children. A child needs special education which is specially designed instruction and related services in order to benefit from that instruction (34 CFR 300.14).
2. The phrase "by 1994" is used to identify the target date for completion of the LRE Initiative Activity Plan. This is neither a legally binding date nor a start date for local implementation. Many strategies in the Activity Plan are underway and others reflect ongoing responsibilities of the Department of Public Instruction and the local education agencies.

MISSION STATEMENT

The mission is to ensure by 1994, all eligible children, regardless of disabilities, have the opportunity to receive a free, appropriate public education in age-appropriate settings with non-disabled peers, to the maximum extent appropriate, so they can live, work and participate in recreation in the community.

GOALS

1. The Department of Public Instruction and local education agencies will develop awareness, knowledge and skills among the citizens of Delaware to ensure implementation of appropriate programs and services.
2. The Department of Public Instruction and local education agencies will develop and provide programs and services in age-appropriate integrated settings, to the maximum extent appropriate.
3. The Department of Public Instruction will develop and recommend sufficient funding levels and flexible funding mechanisms to provide programs and services in age-appropriate integrated settings, to the maximum extent appropriate.
4. The Department of Public Instruction and local education agencies will provide a transportation system to support programs and services in age-appropriate integrated settings, to the maximum extent appropriate.
5. The Department of Public Instruction and local education agencies will provide integrated facilities to deliver age-appropriate education programs and related services.

STRATEGIES AND ACTIVITIES

This section contains descriptions of strategies and activities for each of the goals of the LRE Initiative. A Review Group and Steering Committee contributed strategies for each of the goals. A technical writing group of DPI staff and consultants developed the timeline, resource projections and progress reports.

GOAL 1. The Department of Public Instruction and local education agencies will develop awareness, knowledge and skills among the citizens of Delaware to ensure the implementation of appropriate programs and services.

Three strategies have been developed for this goal statement. Through the Awareness Building Strategy, plans have been made for brochure and pamphlet development to describe the LRE Initiative at a variety of levels. DPI is distinctly aware that there are a multitude of audiences in the community that need the information in different formats so that there are opportunities for everyone to understand the concept of LRE. This document will be published in different formats, in addition to the original, so that members of the community can continue to read, discuss and contribute to its development. The newsletter activity, an overview presentation to be used in a variety of settings and a video documentary of successful programs in Delaware are scheduled for development.

Activities for the Knowledge and Skill Building Strategy include the development of information packages on topics such as: The research on successful practices in integrated settings for students with disabilities, mainstream instruction, concerns that parents have about initiatives to implement the least restrictive environment and questions that architects and builders have about facilities for all children which would accommodate the needs of children exhibiting a variety of disabilities. A range of workshops and conferences address the skills of parents and educators.

Status of Implementation for Goal 1.

AWARENESS

1. To foster Public Awareness, 847 participants heard presentations made during the 1988-1989 and 1989-1990 school years.

The following organizations were provided information specific to the topic of Least Restrictive Environment (LRE):

- a. Council for Exceptional Children (Delaware Federation)
- b. Delaware School Boards Association
- c. Exceptional Children's State LRE Conference
- d. Delaware Association for Retarded Citizens
- e. Delaware Association of School Administrators
- f. Project LEAD (Leadership in Educational Administration Development)
- g. Delaware Counselors Association
- h. Delaware Psychologists Association
- i. Delaware Congress of Parents and Teachers
- j. Parent Information Center of Delaware
- k. Delaware Advisory Council for Career and Vocational Education
- l. Legislative Consortium
- m. School Health Advisory Committee
- n. Delaware Teachers' Conference
- o. Delaware Association of School Principals
- p. Brandywine School Board
- q. Representatives of all Delaware School Districts
- r. Sterck School Parents and Staff

KNOWLEDGE BUILDING

2. To advance Knowledge Building Strategies, several manuscripts explaining LRE that also provided sources for additional readings and programming were distributed statewide and to specific programs. Included in these mailings were:

- a. The Activities Catalog: An Alternative Curriculum for Youth and Adults with Severe Disabilities, written by Barbara Wilcox and G. Thomas Bellamy: Copies may be

purchased from the Brookes Publishing Company, P.O. Box 10624, Baltimore, Maryland, 21285-0624.

- b. Purposeful Integration...Inherently Equal, written by Steven J. Taylor et. al. Contact the Technical Assistance for Parent Programs (TAPP) Project, 312 Stuart Street, Boston, Massachusetts, 02116, to purchase copies or to obtain further information.
- c. Strategies on the Intervention of Students with Severe Disabilities, a newsletter produced by Wayne Sailor, director of the California Research Institute. As a source of information, interested individuals may contact Dr. Sailor at San Francisco State University, Department of Special Education, California Research Institute, 1600 Holloway Avenue, San Francisco, CA 94132.
- d. Regular Lives, a video tape distributed to the State Learning Resource Centers which is available on loan to school districts, agencies and parents. The tape presents scenes of an integrated school setting.
- e. Compendium of Special Programs is a collection of program options available throughout the State differing from the traditional segregated or pull-out program.

In addition, during the 1988-1989 school year, the State Board of Education commissioned a study to determine the effectiveness of the State's Intensive Learning Centers (ILCs). One of the major findings of the study indicated that integrated ILCs were as effective as, if not more effective than, segregated settings. A follow-up to that study is discussed later in this document.

SKILL BUILDING

- 3. The Exceptional Children/Special Programs Division has also conducted inservice/workshop programs. The goal of these training sessions was to provide participants with skill building competencies to be applied in school and community settings. In addition, a development project is being implemented on program and services for secondary school-aged students. A brief description of each topic follows:

a. MERGE: Curriculum Adaptation

This five day workshop is in its third year of presentation. Over a hundred participants have taken part in this inservice program. All districts within the State will be offered the opportunity to take part in this workshop. Its major goal is to aid teachers (regular, special and vocational) in changing school curricula to meet the needs of mainstreamed students. Content is applicable to all levels of instruction.

b. School Based Staff Support Teams

This two day workshop was offered statewide over a two year period for 59 participants. The purpose of this workshop is for participants to gain skills that would aid school staff to work cooperatively on problem solving strategies. Simply put, it is a concept that helps teachers help teachers. Content is applicable to all levels of instruction.

c. "Functional" Individualized Education Program (IEP)

Staff have provided inservice which helps teachers and program personnel to approach the writing of IEP goals and objectives. Training activities focus on creating IEPs based on student needs, rather than creating IEPs to fit the current curriculum. Content on this topic is applicable at all levels of programming. Currently, over 30 workshops have been provided throughout the State on this topic for over 450 participants.

d. "Delaware Transition Follow-Along Tracking System"

In October, 1989, the U.S. Department of Education awarded the Department of Public Instruction a grant entitled, "Delaware Transition Follow-Along Tracking System." The objectives of this project are to: 1) develop and implement a comprehensive computerized data management system for tracking and monitoring the progress of identified special education students from the age of 14 through a minimum of three years after they exit the system; 2) conduct follow-up surveys of

special education school leavers: at one and three year intervals; 3) develop and implement a follow-along tracking system for special education students who drop out of school prior to receipt of a diploma, a certificate of performance, or reaching age 21, and to 4) develop and implement standards for secondary programs serving youth with disabilities based on the data available nationally and on the follow-along studies conducted in Delaware.

e. Effective Teaching

This training, having a significant relationship to the LRE Initiative, continues for all educators.

f. Preservice Training

For Skill Building at the pre-service level, Delaware relies on many out of state training institutions for its pre-service personnel development, in addition to the colleges and universities in the state. One ongoing activity is the Secondary Vocational Education project.

g. Higher Education

Consultation and collaborative activities with the University of Delaware and Delaware State College continue, particularly in the areas of participatory planning for the Comprehensive System of Personnel Development, Eligibility Criteria and Administrative Manual revisions.

GOAL 2: The Department of Public Instruction and local education agencies will develop and provide appropriate programs and services in age-appropriate integrated settings, to the maximum extent appropriate.

The first strategy implemented to reach this goal was technical assistance to the local education agencies on planning activities. The Division made a significant effort to assist all local school systems in identifying local needs and contingencies to meet their goals.

Local LRE Plans

The Division developed a planning format and documentation requirements to address specific LRE concepts. These plans will become a part of each district's Local Operational Plan. Countywide meetings were conducted throughout the year to prepare the districts for planning.

A format was provided containing four major requirements: 1) a local LRE Committee, 2) a district philosophy and goals, 3) a listing of programs and services to be provided by the agency, and 4) a section noting the activities and contingencies necessary to meet the goals.

In addition to local LRE Plans, countywide programs were also charged with developing LRE Plans. Meetings were held with LEA and countywide administrators to facilitate collaborative planning. As plans developed, the Department was able to gather information on statewide contingencies.

Research

A second strategy within Goal 2 was to conduct research. An activity that took place during the 1988-89 school year was a commissioned study to determine the effectiveness of the Intensive Learning Center (ILC) programs. An outcome of this research was to develop a Request for Proposal (RFP) addressing the recommendations posed by the consultants of the study. This RFP sought to design ILC programs in integrated settings across grade levels (preschool through secondary). As a result, two school districts are taking part in a three year project that will focus on program development for students placed in integrated ILCs. The approved projects will allow for both replication of components of commended ILCs (e.g., the Maclary School and the Kent VoTech ILC) and piloting of additional recommendations made by the consultants of the study. The target date for initial implementation is September, 1990.

Model Development

A third strategy is model development. It is important to note that planning before implementation is of the utmost importance. The Department has been working on a three tier level of planning. The first includes local agency planning for levels of service in the continuum, Levels I through IV, inclusive.

A second tier of planning addresses multiple cooperating agencies. When a Level V School/Program serves a district or county where more than one school or district is involved, extensive preplanning and preparation are critical.

The third tier of planning includes State programs which impact all districts. Such planning will involve representation statewide; hence, it follows the completion of local and county planning. New programs under development include services for the birth through two and the three through five year olds. Research and special studies are underway to assist the Interagency Coordinating Council in making policy decisions for the creation of programs and services for infants and toddlers.

Services for Young Children Birth Through Two

The Delaware Department of Public Instruction has been designated by the Governor as the "Lead Agency" to administer the Amendments to the Education of the Handicapped Act-Part H for Infants and Toddlers(P.L. 99-457) in coordination with a Governor-appointed Interagency Coordinating Council. This law provides grants to states for the purpose of facilitating the development of a comprehensive interagency system of early intervention services for infants and toddlers with developmental delays or "at risk" for developmental delay, by 1992. The Part H regulations emphasize the need to provide services in the least restrictive environment. Accordingly, the Part H planning will follow the guidance provided by the federal regulations.

Services for Children Three Through Five.

The Department of Public Instruction is currently planning to meet the requirements of P.L. 99-457 - Section 619 which mandates a free appropriate public education to all preschool children (3-5 years) by school year 1991-1992. Any preschool child with a

disability who is provided special education and related services is entitled to all the rights and protections guaranteed by the EHA-Part B, including placement in the least restrictive environment. There is a variety of placements that can meet the needs of preschool children with disabilities which must be included in the continuum of alternative placements. Technical assistance will be provided by the Delaware Early Childhood Diagnostic and Intervention Center to local education agencies (LEAs) in the planning and implementation of the continuum of alternative placements for preschool children with handicaps.

The following represent recent district and agency proposals for special schools/special programs. The remaining districts participate in the planning and are not indicated separately.

Department of Services for Children, Youth and Their Families' Day Treatment Centers

The Department of Services for Children, Youth and Their Families established three day treatment centers to serve students outside of residential programming. Those services enhance the continuum of programming of students in a less restrictive environment. The programs allow clients to live at home while receiving mental health and educational assistance.

New Castle County

Appoquinimink School District

The district has planned to establish a unit of Intensive Learning Center students at the Redding Middle School. Programming is scheduled to begin in September, 1990.

Brandywine School District

Approximately 20 secondary Intensive Learning Center students have been transferred to integrated and age-appropriate settings. In addition, a number of students attending the Bush School have also transferred to integrated and age-appropriate settings.

The District will continue with plans to serve additional students with moderate and severe disabilities in integrated and age-appropriate settings.

Christina School District

Approximately 40 elementary and 60 secondary Intensive Learning Center students have been transferred to additional age-appropriate and integrated sites within the District.

Those students who had attended the Douglass School continue to be served in age-appropriate and integrated settings. Plans for age-appropriate integration of additional students with moderate and severe disabilities through the secondary level are scheduled to be implemented beginning September, 1990.

Colonial School District

The District is continually involved in planning and implementing programming for students with mental and physical disabilities in integrated and age-appropriate settings. Plans call for the establishment of an elementary and secondary center approach to afford those students with severe mental and medical disabilities access to medical and enhanced computerized services.

New Castle County Vocational Technical School District

The District is involved in the three year project designed to serve ILC students in integrated settings. NCCVT is also reviewing the potential for creating a vocational program allowing for learning experiences ranging from "helper" to managerial training. This model expands levels of service to students with a wider range of disabilities.

Red Clay Consolidated School District

The District will take part in the three year project aimed at serving ILC students in integrated settings. In addition, the District is proposing to locate programming for middle/junior high school students with mental disabilities in integrated settings. For Red Clay, this will complete the levels of service available to the population with mild and severe disabilities in age-appropriate integrated settings.

Kent County

Capital School District

The District will continue to host the Kent County Orthopedic School and will plan with the districts in the county to provide services in integrated sites within the District.

Caesar Rodney School District

The District will continue to host the John S. Charlton School and will plan with the districts in the county to provide services in integrated sites within the District.

The District will also continue to host the Kent Elementary ILC for Kent County, providing services in integrated settings. The District is in the process of reviewing the ILC Study in order to address areas of concern.

Kent County Secondary Intensive Learning Center

The Kent County Vocational Technical Center will continue to host the Secondary ILC and continue to provide services in integrated settings. The Center has recently begun a community based program aimed at work experience and employment.

The Vocational Center is currently beginning implementation of a full-time comprehensive secondary program. Services for students with handicapping conditions are included in the approved plan.

Sussex County

Cape Henlopen School District

Cape Henlopen will continue to serve Sussex County's elementary ILC students in segregated settings. Planning by Cape Henlopen is underway to have available programming for Cape Henlopen students in integrated settings.

Indian River School District

Indian River will continue to serve Sussex County's students with severe disabilities in a separate setting. The District also continues to serve District students with mild and moderate mental disabilities in integrated settings at the Indian River High School.

This school year the District transferred 17 students from across the county to the Delaware Technical and Community College for age-appropriate, integrated educational programming.

The District will have established, in September, 1990, a unit of Intensive Learning Center students which will be located at the Sussex Central Junior High School.

Seaford School District

The District will continue to host the Sussex County Orthopedic Center as a Level V Special School/Special Program. Seaford plans to develop age-appropriate integrated services for those students currently served in the Special School/Program.

The Seaford School District continues to provide an age-appropriate integrated program for one unit of ILC students at the Seaford Middle School. An additional unit will be established at the West Seaford Elementary School, beginning September, 1990.

Sussex Vocational Technical School District

The District will continue to host the Secondary ILC as a Level V Special School/Special Program. The District will continue to serve ILC students in integrated settings. The Vocational Center is currently beginning implementation of a full-time comprehensive secondary program. Services for students with handicapping conditions are included in the approved plan. The District will also address recommendations made by the consultants who conducted the study of ILCs.

GOAL 3: The Department of Public Instruction will develop and recommend sufficient funding levels and flexible funding mechanisms to provide appropriate programs and services in age-appropriate integrated settings, to the maximum extent appropriate

A number of legislative changes will be proposed, based on input received during the past year and a half. The Department disseminated the proposals to local education agencies for comment, analyzed the comments and drafted legislation for the 1990 legislative session.

The proposed changes would be designed to assure that those funds and services provided at segregated settings are also available at integrated sites. Primarily, proposed legislation would be designed to permit students with disabilities to be educated in the least restrictive environment without loss of State funding authorized under existing statutes. Provisions of the proposed legislation would include the following:

Districts would be permitted to accumulate the pupil enrollments of low-incidence handicapped pupils across buildings within a district in order to provide supervision and administration of a centralized program for such pupils.

The number of physical, occupational and speech therapists that can be employed in a decentralized program for the physically impaired would be limited to the same number of positions that a district would receive if those same students were in a single special school in the district.

Provision would be made for fractional funding of physical therapists, occupational therapists and speech therapists, respectively, in schools or programs for the severely mentally handicapped.

Provision would be made for interpreter/tutors in school districts which enroll mainstream deaf pupils on the basis of one for each four pupils with a minimum of one per district.

Provision would be made for fractional funding for a portion of the first unit for seven low-incidence categories of special education.

A school district would be permitted to use tuition funds when operating a special school or special program for the low-incidence categories of children with disabilities.

Vocational school districts that administer special schools or special programs for the handicapped would be permitted to charge a tuition tax in order to cover the local share of costs of those programs.

During the past school year, Unique Alternatives funding was available to serve students who qualified under the Complex or Rare provisions and who would otherwise be placed out of district in private programs. These funds were used for programming that allowed students to remain within his/her home district.

The Department anticipates that additional changes will be recommended following the receipt and review of additional contingencies noted within district, county and State plans.

GOAL 4: The Department of Public Instruction and local education agencies will provide a transportation system to support appropriate programs and services in age-appropriate integrated settings, to the maximum extent appropriate.

Strategies included the continuation of a yearly analysis of the State transportation system as it applies to the needs and provisions necessary for students with disabilities. The Department provided training for bus drivers who transport students with moderate and severe disabilities. As more and more students are using a single transportation system, transportation personnel will require additional awareness and training activities. To facilitate training, the Department purchased several videotapes in the areas of special education and first aid.

Consultation with local systems and State operated programs is ongoing. Problems that involve continuous attention include: 1) training and information for administrative personnel, 2) collaboration between building level and transportation administrators during IEP development, 3) efficient communication between sending and receiving school districts when students' needs for specialized

transportation are identified in the IEP, and 4) increased access to appropriate Special School/Programs that are close to home.

The Special Education Transportation Task Force continues to discuss those areas of concern for purposes of program planning and policy development.

GOAL 5: The Department of Public Instruction and local education agencies will provide integrated facilities to deliver age-appropriate special education programs and related services.

A Department procedure is in place that allows for interdivisional review and comment on proposed building modifications and new construction, in addition to the examination by the State's Architectural Accessibility Board. Although the Architectural Accessibility Board has adopted standards for accessibility, it does not address facility requirements for support services (e.g., therapies, nurse's suites, etc.). The Department plans to develop a guide for planning, modifying and designing schools by universal standards that would address the varying needs of students with disabilities. At present, two documents have been obtained from two states, following an extensive search. Those will be reviewed by the Facilities Task Force for possible application in Delaware.

COORDINATION AND EVALUATION

The LRE Initiative incorporates ongoing coordination and evaluation responsibilities of the Department of Public Instruction and the Exceptional Children/Special Programs Division. Those ongoing responsibilities include: (1) monitoring and evaluation, (2) policy analysis and development, and (3) interagency coordination of programs and services. The functions related to each of those responsibilities are summarized below.

Monitoring and Evaluation

The Comprehensive Compliance Monitoring System will account for programmatic and fiscal policy implementation. Aggregated data will indicate progress, as well as needs for assistance. The new Program Quality Assessment component of Local Operational Plans will provide indepth assessments of school districts' progress in program improvement. The student database system is scheduled for improvement in the area of placement of students, as well as the types of services they receive, so that progress can be assessed. The annual personnel development needs assessment will provide data to compare the availability and capability of service providers over the course of the LRE Initiative.

Data Analysis

The numbers of students placed in private programs through the Complex or Rare funding mechanism has greatly decreased over the past several years. This is partially due to: 1) a more stringent application process, 2) the sophistication of programming available in districts throughout the State and 3) the recent legislative action allowing for the use of funds typically provided only to private schools and institutions to be used for placement of students in less restrictive settings (Unique Alternatives). The following chart illustrates the trend over the past three years.

COMPLEX OR RARE PLACEMENTS

<u>School Year 1987-88</u>	<u>School Year 1988-89</u>	<u>School Year 1989-90</u>
63	55	41

Another data analysis addresses program service delivery levels along the continuum. A comparison of data collected on December 1, 1988 and December 1, 1989 indicates a dramatic increase of services delivered in less restrictive settings. These data represent placement data of students who are reported as being served in Special School/Special Programs. Highlights from the analysis are presented in the following chart.

DECEMBER 1 COUNT: ECIA CHAPTER I (H) SPECIAL SCHOOLS/SPECIAL PROGRAMS

<u>Level of Service</u>	<u>December, 1988</u>	<u>December, 1989</u>
Regular Class	53	395
Resource Room	97	660
Separate Class	1289	883
Public Residential Facility	28	23
Private Residential Facility	55	41
Homebound/ Hospital Placement	95	81

(Data totals are not equal between years due to the removal of the 3-5 year old population which is presently counted under EHA Part B.)

These data are the result of two major variables. The first is the continued effort to accurately define and collect data representative of actual service level placements. Translating federal agency definitions of placement to Delaware definitions has continued to present problems in the collection of information. Delaware is not unique in experiencing this problem. Clarification from the U.S. Department of Education has allowed for some of the changes shown above.

The second condition found within the noted changes is based on actual placement changes. Students who have historically been served in the traditional segregated settings are receiving programming in integrated public settings.

Taking into account these two conditions, the data of December 1, 1989, are more representative of service delivery placements. Future data analysis will be based on the December, 1989 figures used as a baseline and will allow for additional monitoring and analysis of student movement.

Policy Analysis and Development

The Administrative Manual: Programs for Exceptional Children is scheduled for review and revision, if necessary, on an annual basis. The Department of Public Instruction will develop new policy, as appropriate, to reduce barriers to achieving the goals of the LRE Initiative. The task forces on funding, transportation and facilities are scheduled to make recommendations periodically. The Local Operational Plans must include an LRE component and will be a primary source of needs data for the task forces.

Interagency Coordination

The LRE Initiative is scheduled for review and update on an annual basis. This update will be a vehicle for communicating progress and needs, not only to the divisions within the Department of Public Instruction and to the State Board of Education, but also to other state agencies, the legislature and advocacy groups. The activities described in the awareness strategy under Goal 1 will also provide resource materials for interim communication with the home, the school and the community.

The Department of Public Instruction School Improvement Review Program is scheduled for a process review and planning cycle during the 1990-91 school year. The LRE Initiative update will be reviewed for consideration during that cycle. A telecommunications system will be operational in the coming year that will increase the efficiency of data collection and technical assistance activities. Interagency collaboration to improve programs and services through the applications of special education technology is an ongoing effort.

Interagency agreements between the Department of Public Instruction and other state agencies have been developed to facilitate programming in the least restrictive setting. Those agencies include the Department of Services for Children, Youth and Their Families, the Department of Health and Social Services, the Department of Correction and the New Castle County Vocational Technical School District. Additional interagency agreements at the Department of Public Instruction and school district levels will be developed and modified periodically to facilitate the delivery of services to children and youth in the least restrictive environment.

FUTURE PLANS AND ACTIVITIES

The planning sequence for LRE began with individual district planning, followed by countywide planning. Activities for the 1990-91 school year will focus on LRE planning which will impact statewide programs. Specifically, the Department of Public Instruction will create statewide committees (Hearing Impaired, Autistic) with representation from each of the three counties, including administrators, teachers and parents.

The statewide committees will formulate plans addressing LRE activities. These plans will denote those goals and activities, timelines and contingencies necessary for implementation of the plan. These statewide committees will, therefore, parallel the state and local LRE committees in format and process. (See pages 12 and 13)

The Department of Public Instruction and local education agencies will continue to address the five goals of the Delaware Least Restrictive Environment Initiative. As stated earlier, goals 1, 2 and 3 are ongoing goals and the Department and local education agencies will continue to pursue the provision of awareness,

inservice training, legislative proposals and the continuing development of age-appropriate integrated programs.

Additional plans and activities include the following:

- The Department is continuing to provide inservice training with regard to such topics as: Project Merge (mainstreaming children with disabilities), Functional IEPs and Effective Teaching. Also, it is anticipated that both the Transportation and Facilities Task Forces will complete their respective tasks by early fall.
- As local, county and statewide committees develop LRE plans, additional contingencies will be clarified with appropriate proposals forwarded for Department and legislative review and support.
- Although no research projects are projected for the 1990-1991 school year, the Department will continue to support the second year's implementation of integrated programming for ILC students within the New Castle County Vocational Technical School District and the Red Clay Consolidated School District.
- The Delaware Transition Follow-Along Tracking System will begin its second year. Data will have been collected specific to all "school leavers" (1989 and 1990) and transition plan information (class of 1993). Follow-up surveys of students of the class of 1989 will be finalized during the summer of 1990. A committee has been established and will begin the development of standards for secondary special education programs. Other state agencies are involved to further develop a permanent source of data.
- The 1990 summer Special Education Institute, which provided technical assistance to districts, focused on evaluation techniques that may be employed by LEAs to determine program effectiveness. That activity will assist districts in providing program assessment data within the Local Operational Plans.

- The Comprehensive Compliance Monitoring System (CCMS) is completing its initial cycle. CCMS procedures and instruments will be revised to more effectively determine appropriate placement decisions.

Finally, the Department will continue to provide local, county and statewide programs with continuing information, consultation and training activities, for purposes of expanding program options for students with disabilities, in order to meet the mission statement and five goals of the Delaware Least Restrictive Environment Initiative.

DEFINITIONS

INTEGRATION AND MAINSTREAMING

To provide clarification of the differences between integration and mainstreaming, the following most commonly asked questions and answers were made available from the Office of Special Education and Rehabilitative Services.

QUESTION: "There is confusion over integration vs mainstreaming. What is the difference?"

ANSWER: Initially, most individuals believe that LRE involves the mainstreaming of students with moderate and severe handicaps into regular education classrooms and curricula. One must realize that integration involves the placement of classes of students with severe handicaps in regular, age-appropriate school buildings where these students will have opportunities to interact with their non-handicapped peers. Mainstreaming typically refers to placing students with mild disabilities and special education needs into regular classrooms for academic activities [with or without related services]. However, students with severe disabilities often are mainstreamed into non-academic classes such as home economics and physical education. [Community-based programming is also considered a form of mainstreaming.]

QUESTION: What does integration really mean?

ANSWER: Integration DOES mean:

1. Educating disabled children in regular schools, regardless of the degree or severity of their disabling condition(s).
2. Providing special services within the regular schools.
3. Supporting regular teachers and administrators.

4. Involving disabled students in as many academic classes and extracurricular activities as possible, including lunch, music, art, gym, field trips, assemblies, and graduation exercises.
5. Arranging for disabled students to use the school cafeteria, library, playground and other facilities at the same times as nondisabled students.
6. Teaching all children to understand and accept human differences.
7. Providing an appropriate individualized education program.

Integration DOES NOT mean:

1. [Inappropriate placing of] students with disabilities into regular programs without preparation of supports.
2. Locating special education classes in separate wings at a regular school.
3. Grouping students with a wide range of disabilities and needs in the same program.
4. Ignoring children's individual needs.
5. Isolating students with disabilities in regular schools.
6. Placing older students with disabilities at schools for younger children, i.e. age-appropriate placement.

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POSITION/POLICY DISCLAIMER

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